

BILL NO. S-77-04- **30**

**89-77**

SPECIAL ORDINANCE NO. S- ~~77-89~~

AN ORDINANCE approving a contract with Stockberger Machinery, Inc. for materials for the Fort Wayne Street Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:


SECTION 1. That the contract dated April 12, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Stockberger Machinery, Inc., for:

1 ea 1977 Vibratory Roller, Self-propelled  
Ray G o, 2-36 Romper Tandem

TOTAL: \$9,580.00

all as more particularly set forth on Civil City Purchase Order No. 4-00362, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

  
\_\_\_\_\_  
Councilman

**APPROVED AS TO FORM  
AND LEGALITY**

  
\_\_\_\_\_  
CITY ATTORNEY

Read the first time in full and on motion by Moses, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Public Works ~~(and the City Plan Commission for recommendation)~~ and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the day of \_\_\_\_\_, 1976, at \_\_\_\_\_ o'clock P.M., E.S.T.

DATE: 4/26/77

Charles W. Whitman  
CITY CLERK

Read the third time in full and on motion by Moses, seconded by Talarico, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>9</u>	<u>0</u>			
BURNS	✓				
HINGA	✓				
HUNTER	✓				
MOSES	✓				
NUCKOLS	✓				
SCHMIDT, D.	✓				
SCHMIDT, V.	✓				
STIER	✓				
TALARICO	✓				

DATE: 5-10-77

Charles W. Whitman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~)

ORDINANCE (~~RESOLUTION~~) No. 89-77 on the 10th day of May, 1976.

ATTEST:

(SEAL)

Charles W. Whitman  
CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of May, 1976, at the hour of 4:30 o'clock P M., E.S.T.

Charles W. Whitman  
CITY CLERK

Approved and signed by me this 16th day of May, 1976, at the hour of 2:30 o'clock P M., E.S.T.

Richard E. Armstrong  
MAYOR

Bill No. S-77-04-30

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on PUBLIC WORKS to whom was referred an Ordinance  
approving a contract with Stockberger Machinery, Inc. for materials  
for the Fort Wayne Street Department

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

WINFIELD C. MOSES, JR. - CHAIRMAN

DONALD J. SCHMIDT

VIVIAN G. SCHMIDT

PAUL M. BURNS

SAMUEL TALARICO

*W. C. Moses Jr.*

*D. J. Schmidt*

*Vivian G. Schmidt*

*Paul M. Burns*

*Samuel J. Talarico*

5-10-77 CONCURRED IN  
DATE 5-10-77 BY W. WESTERMAN, CITY CLERK

# Memorandum

64-186-8 4/13/77

To H. P. Wehrenberg, Board of Works

Date April 12, 1977

From Purchasing Department

Subject Bid Reference No. 762 - Vibratory Roller - Street Department

## COPIES TO:

Enclosed you will find Bid Documents (Bid No. 762) relating to Purchase Order No. 4-00362 which is prepared favoring Stockberger Machinery, Inc. for One (1) Twin Roll Vibratory Roller - Total Price: \$9580.00.

The following documents are attached in support of the recommendation for acceptance of Stockberger's offer:

1. Copy of Tab Sheet
2. Copy of Mailing List
3. Copies of Five (5) Bids received
4. Copy of Purchase Order

Twelve Vendors were invited to Bid, Three Bids were mailed, Seven Bids were picked up. Five Bids received.

The enclosed Bid Tabulation indicates Deeds Equipment Company as low bidder. at \$8150.00 with Stockberger as the next higher bidder at \$9580.00. After a thorough study of all Bids offered by W. H. White, Street Commissioner, it is recommended to award the Bid to Stockberger's for the following reasons:

1. Deeds Equipment bid was incomplete - Bid invitation not included - Proposal & Bid Surety not submitted on proper format - no Affirmative Action submitted as required on Bid invitation.
2. Stockberger will furnish a 1977 Ray Go Tandem Vibratory Roller, Self-propelled which meets the required specifications whereas the 1976 Mauldin offered by Deeds does not meet the specifications on the following areas:
  - A. Water and water/sand filled rollers rather than vibratory rollers, as specified.
  - B. Compacting force of drums of Mauldin is only 8600 Lbs. whereas Ray Go has 12,000 Lbs. of compacting force.
  - C. Rubber tires on the Mauldin prevents the equipment from reaching a building any closer than 10 to 12 inches and would require the removal of tires in order to reach a building or curb.
  - D. The Mauldin has no pressurized spray system for rollers as required by specifications.

It is considered that the Mauldin equipment would not perform satisfactorily and does not meet the required vibration features which are furnished by the Ray Go Roller.

Please process all of the attached documents for Council approval. Please make certain that no confirming Purchase Order No. is communicated to Stockberger's until evidence of approval by Council is furnished to the Purchasing department.

Approved:

A. C. Lord

Genevieve V. Ramer  
Genevieve V. Ramer

Labitation of Bid

Bid Reference No. 762

Closing Date February 16, 1977

Twin Roll Vibratory Roller

State Equipment Company, Inc.

5620 Industrial Road

Fort Wayne, Indiana 46825

A/E/Comp. Bid Surety

A/A - ON FILE 4 Bond - Comp.

Hyster Company

Construction Equipment Division

P. O. Box 289

Kewanee, Illinois 61443

1977 INGERSOLL-RAND DA-30  
FREIGHT INCL

13,550.00

WARRANTY.

Del. 2 weeks - 1000 hrs or 12 months

K. E. McConnaughay Company

1 South Street

Lafayette, Indiana

MacDonald Machinery, Inc.

3911 Limestone Drive

Fort Wayne, Indiana

Korte Brothers, Inc.

333 East Murray Street

Fort Wayne, Indiana 46803

A/E/Comp.

Bid Surety + Bond Comp.

A/A ON FILE

1977 ROSCOE HYDRO-PAC

\$10,625.00

Del. 2 wks - WARRANTY 90 days

Used 1975 Roscoe  
HYDRO-PAC

\$8,160.00

Stockberger Machinery

2222 U.S. #30 Bypass - West

Fort Wayne, Indiana 46808 CERTIFIED

A/E/Comp.

Bid Surety OK

CH # 015330

1977 RAY GO INC.

2-36 ROMPER TANDDEM

\$9,580.00

Indiana Equipment Company

P. O. Box 1139

Fort Wayne, Indiana 46801

WARRANTY

6 months

OR

1,000 hrs

1976 DYNA-PACK 1000-10-A

\$10,849.00

incl. Freight

Del. 2-3 weeks

A/A ON FILE

BID SURETY

A/E/Comp.

Comp.

Tabulation of Bid

Bid Reference No. 762

Twin Roll Vibratory Roller

Closing Date February 16, 1977

Reid-Holcomb, Inc.  
3333 Coliseum Blvd. - West  
Fort Wayne, Indiana 46808

A. H. Choltz & Company  
25166 State Road No. 2  
South Bend, Indiana 46619

Deeds Equipment Co.

New MAULDIN- VIBRATORY-  
Roller - 3 TO 5 TON.  
\$6,950.<sup>00</sup> PLUS \$1,200.<sup>00</sup>

Bid Reference No. <u>762</u>	Cards Mailed	Bids Picked Up	Bids Mailed
Date <u>February 16, 1977</u>			
Vendors Name & Address			
Industrial Tractor & Equipment 4809 Industrial Road Fort Wayne, Indiana 46825	2-1-77		
Total Marketing House, Inc. 2777 Maplecrest Road Fort Wayne, Indiana 46805	"		
State Equipment Company, Inc. 5620 Industrial Road Fort Wayne, Indiana 46825	"	2-4-77	
Hyster Company Construction Equipment Division P. O. Box 289 Kewanee, Illinois 61443			1-31-77
K. E. McConnaughay Company 1 South Street Lafayette, Indiana			1-31-77
MacDonald Machinery, Inc. 3911 Limestone Drive Fort Wayne, Indiana	2-1-77	2-4-77	
Korte Brothers, Inc. 333 Murray Street Fort Wayne, Indiana 46803	"	2-2-77	
Stockberger Machinery 2222 U.S. #30 Bypass - West Fort Wayne, Indiana 46808	"	2-3-77	
International Vibration Company 16702 South Waterloo Road Cleveland, Ohio 41110			Returned by Post Office 1-31-77
Indiana Equipment Company P. O. Box 1139 Fort Wayne, Indiana 46801		2-3-77	

Bid Reference No. 762

Date February 16, 1977

Vendors Name & Address

Cards Mailed

Bids Picked Up

Bids Mailed

Reid-Holcomb, Inc.  
3333 Coliseum Blvd - West  
Fort Wayne, Indiana 46808

2-9-77

A. H. Choitz & Company  
25166 State Road No. 2  
South Bend, Indiana 46619

2-11-77



FORM DP-3

APPROVED BY THE STATE BOARD  
OF ACCOUNTS FOR THE CITY OF  
FORT WAYNE, 1995.CITY OF FORT WAYNE  
DEPARTMENT OF PURCHASES  
NUMBER ONE EAST MAIN STREET  
ROOM 470  
FORT WAYNE, INDIANA 46802

MAIL ALL CORRESPONDENCE, CLAIM VOUCHERS ETC. TO:

Fort Wayne Street Department  
1701 South Lafayette St.  
Fort Wayne, Indiana 46803

2299

Stockberger Machinery, Inc.  
2222 Hwy 30 Bypass West  
Fort Wayne, Indiana 46805

## DELIVER TO:-

DEPARTMENT  
OR DIVISION

Same as above

## ADDRESS

CASH DISCOUNT TERMS % IF PAID WITHIN DAYS FROM DELIVERY AND  
ACCEPTANCE OF GOODS OR PERFORMANCE OF SERVICES. (CHECK ONE FOR DISCOUNT SHOWN BELOW)

	QUANTITY ORDERED	UNIT	MATERIALS, SUPPLIES OR SERVICES	UNIT PRICE	AMOUNT
			<u>TAX EXEMPT</u> (UNLESS OTHERWISE INDICATED)		
COMPLIANCE WITH THE DELIVERY DATE REQUESTED WILL A- VOID "FOLLOW UP" CORRESPONDENCE.	1	ea	1977 Vibratory Roller, Self-propelled Ray Go, 2-36 Romper Tandem		\$9,580.00
<b>NOTE</b>  ↓ <b>READ</b>  INSTRUCTIONS ON THE BACK OF THIS <b>ORDER</b>				Total	\$9,580.00
THE CONTRACTOR OR VENDOR, BY ACCEPT- ING THIS ORDER, A- GREETES TO THE GEN- ERAL CONDITIONS AND TERMS OF AGREEMENT ON THE BACK OF THIS ORDER.			Per Bid Reference #762		
UNLESS OTHERWISE INDICATED THE PRICES SHOWN INCLUDE ALL CHARGES FOR DELIV- ERY, PACKING, ETC., NECESSARY TO COM- PLETE DELIVERY TO DESTINATION SPECI- FIED.			F.O.B. Fort Wayne, In.  Delivery: Immediate from factory stock (Minneapolis, Minn.)  Warranty 180 Days		
UNLESS OTHERWISE INDICATED THE PRICES SHOWN DO NOT INCLUDE TAXES OF ANY KIND.  EXEMPTION BLANKS WILL BE FURNISHED WHEN NECESSARY.			APPROVED Board of Public Works <i>Henry P. Wehrenberg</i> <i>Edward W. LaMar</i> <i>Max G. Scott</i>		
INO. SALES TAX EXEMP. CERTIF. NO. 34508  IF THIS ORDER DOES NOT AGREE WITH YOUR QUOTATION KINDLY RETURN IT WITH AN EXPLANATION.			SUBJECT TO COUNCILMANIC APPROVAL  ACI/evr		

I HEREBY CERTIFY THAT THE COST OF THE ABOVE PURCHASE IS FULLY COVERED  
BY UNENCUMBERED BALANCES IN THE ABOVE FUNDS AND THAT THE  
EXPENDITURE THEREFOR HAS BEEN DULY AUTHORIZED AND APPROPRIATED.I HEREBY CERTIFY UPON MY OWN PERSONAL KNOWLEDGE THAT THIS ORDER  
IS AUTHORIZED BY A PROPERLY EXECUTED AND APPROVED REQUISITION ON  
FILE IN THIS OFFICE.

City Controller

Director of Purchases

Per

Per

## CITY OF FORT WAYNE

## DEPARTMENT OF PURCHASES

Number One Main St., Ft. Wayne, Ind. 46802

## INVITATION

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.

\*Mail all replies and correspondence, etc. to Attn. of A. C. Lord - 423-7037

DEPARTMENT OF PURCHASES

Room 470, Number One Main St., Ft. Wayne, Ind. 46802

## REQUIRED FOR DELIVERY TO:

Department

or Division Street Department

231 South Clinton Street

Address Fort Wayne, Indiana 46802

RETURN ORIGINAL TO THE CITY—RETAIN DUPLICATE COPY FOR YOUR FILE

Closing Wednesday - February 16, 1977 - 11:00 A.M.

Time of Bids

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 34693. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 10 on reverse hereof for details.

## TAX EXEMPT (Unless otherwise indicated)

Quantity	Units	Materials, Supplies, Equipment or Services	Unit Price	Total Amount
1.		Twin Roll Vibratory Roller - per Attached Specifications.		\$9,580.00
		The enclosed Non-Collusion Affidavit and Proposal and Bid Surety Form must be properly completed and returned with your Bid.		
		Each Bidder must submit a current written Affirmative Action Program with their Bid or have it on file with our E.E.O. Office for the current calendar year. NOTE: Forms attached must be completed in full, if not on file, in E.E.O. Office.		
		Specify Which: On File <u>          </u> Attached <u>          </u>		

Bid Bond required ☐ NO ☒ YES 5% of Bid Performance Bond ☐ NO ☒ YES           

Net on receipt of invoice  
Terms            % cash discount if paid within            days from delivery and acceptance of goods or completion of service.

## PROPOSAL OR BID

In compliance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid be accepted within a reasonable time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications applied, and as the price set opposite each item.

Delivery of any or all of the items or completion of services indicated shall be made within            days from receipt of order.

## IMPORTANT

As delivery may be a deciding factor in the award of an order, it is important that bidders furnish the information requested above.

Sign Here

STOCKBERGER MACHINERY, INC.

Name of Company

For            Title           Address 2222 Hwy 30 Byram WestCity Fort Wayne, IndianaPage 1 of 7Ref. No. 762Date January 27, 1977Date wanted           Fund 28-880-722Appropriation No.

Specifications for One (1) Twin Roll Vibratory Roller including all equipment listed as standard in manufacturer's printed literature describing the Roller, unless superceded by special equipment specified herein.

	Base Price:	\$ <u>9,580.00</u>
	Freight:	\$ <u>Included</u>
1. Year:	1976 or 1977 Current Model	\$ <u>Included</u>
2. Working Weight:	Not less than 5000 Lbs.	\$ <u>See attached spec</u>
3. Roll Width:	Front and Rear - Minimum of 40"	\$ <u>see attached spec</u>
4. Roll Diameter:	Front and Rear - 30" Minimum	\$ <u>see attached spec</u>
5. Engine:	Air Cooled, 30 H.P., Gas 12 Volt, Starter Alternator	\$ <u>Included</u>
6. Drive:	Hydrostatic Direct Drive if available	\$ <u>Included</u>
7. Vibration Frequency:	Maximum of 4000 per minute	\$ <u>see attached spec</u>
8. Dynamic Force:	Minimum 15 Ton, Equal to a Static Roller	\$ <u>see attached spec</u>
9. Speed Control:	Forward & Reverse, Minimum Four (4) Mile per Hour	\$ <u>Included</u>
10. Water System:	Fifty (50) Gallon Capacity - Pressurized Spray-Bars for both Rolls.	\$ <u>See attached spec</u>
11. Steering:	Power Steering with minimum 80°	\$ <u>Included</u>
	Total:	\$ <u>9,580.00</u>
	Less Tax:	\$ <u>--</u>
	Less Discount:	\$ <u>--</u>
	Net Total:	\$ <u>9,580.00</u>

Immediate,  
Delivery Date: From factory stock (Minneapolis, Minn.)  
Warranty: 180 days

ADDENDUM NO. 1

Bid Reference No. 762

Refer to Specifications, Item #8 on Page #3 and add:

Compaction force of Roller at 4000 Vibrations per minute to be dynamically equal to 15 Ton Hydro-Static pressure.

SPECIFICATIONS QUESTIONNAIRE  
Bidders Proposal - To Be Completed  
By the Bidder

1. Year: 1977 Make: RAY GO INC. Model: 2-36 ROMPER TANDEM  
VIBRATORY ROLLER, SELF-  
PROPELLED.
2. Working Weight: 4210 lbs.
3. Roll Width: - Front and Rear: 36"
4. Roll Diameter: - Front and Rear: 24"
5. Engine: Wisconsin 30 HP 4 cylinder gasoline engine
6. Drive: Vibratory, hydrostatic drive on front & rear drums
7. Vibration Frequency: 1500 to 2400 VPM
8. Dynamic Force: 4000 lbs. each drum, (12,000 lbs. concentrated compacting force)  
Infinitely variable forward & reverse hydrostatic drive to
9. Speed Control: both drums, from 0 to 1 1/2 MPH speed.  
Operator controlled water spray system and flexible rubber scrapers, both
10. Water System: drums. 2 tanks/15 gal. capacity each, for a total of 30 gallon  
Full power, articulated steering. Single lever forward-reverse and dynamic
11. Steering: braking, 80° stop-to-stop. 72" inside turning radius. Centerpoint articulated  
automotive steering also fully hydraulic.

Equipped with oil bath type air cleaner, extra heavy duty muffler, 12 volt electrical system with key-turn starting, generator and battery; hour meter; manual clutch disconnect for cold weather starting; single lever control for forward-reverse braking, hand operated parking brake; bitumastic rust inhibited water tanks; power hydraulic pump; pressurized sprinkler system with dash on/off control; tank cleanout covers; 19 gallon fuel tank; true diameter machined drums with tapered edges; attached operation and lubrication plates; adjustable seat; one spare hydraulic oil filter.

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA,

----- ALLEN ----- COUNTY } SS:

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale or contract.

*Kenneth D. Walter*  
-----  
Kenneth D. Walter

-----  
Secretary-Treasurer  
Bidder or Agent

For STOCKBERGER MACHINERY, INC.  
-----  
Firm or Corporation

Subscribed and sworn to before me this 16 day of Feb., 1977.

My Commission Expires

----- 8/1/79 -----

*Francis Lenke Stone*  
-----

REQUEST FOR PUBLICATION

News	
Sentinel	x
Journal	
Gazette	x
Other	

DATE January 27, 1977

Kindly publish the following advertisement on the dates as shown and issue invoice to \*

\* Department Street Department  
231 South Clinton Street  
Address Fort Wayne, Indiana 46802

Department of Purchases  
City of Fort Wayne

By *A. C. Lord*

BIDS WANTED -- REFERENCE NO. 762

Sealed Proposals will be received by the City of Fort Wayne at the Office of Department of Purchases, Number One Main Street, Room 470, Fort Wayne, Indiana, until Wednesday - February 16, 1977 - 11:00 A.M. for the following items:

One (1) Twin Roll Vibratory Roller

Each Bidder must submit a current written Affirmative Action Program with his or her bid or have it on file with our E.E.O. Office for the current year.

Bid Forms, specifications, etc., may be obtained upon application at the office and address given above.

A Bid Bond or Certified Check in the amount of \$ 5% of Bid must be submitted with the bid.

Department of Purchases  
City of Fort Wayne  
By A. C. Lord  
Director of Purchases

INSERT 1st RUN

REPEAT 2nd RUN

Type of Advertising Required

2-2-77

2-9-77

LEGAL NOTICE

In compliance with the foregoing invitation to bid and subject to all of the conditions thereof the undersigned offers and agrees, if this bid is accepted within a reasonable time from date of opening of bids, to enter into a contract in accordance with the prices stated herein.

The Legal Advertisement, General Conditions, Instructions to Bidders, Information for Bidders, Special Conditions, Specifications, and Plans applying form a part of this proposal.

This proposal is supported by the following bid surety as required by law and signatures affixed thereto constitute both a proposal and bid surety executed by the bidder.

BID SURETY (REQUIRED BY LAW):

BOND FORM: (USE THIS BOND FORM—NO ALTERNATE FORM OF BOND WILL BE CONSIDERED).

KNOW ALL MEN BY THESE PRESENTS, THAT we, the undersigned, are held and firmly bound unto the City of Fort Wayne, State of Indiana, in the sum of.....

Five Hundred

Dollars,

to be paid on demand to said City of Fort Wayne, its successors and assigns for which payment well and truly to be made, we hereby bind ourselves, our heirs, successors, executors, and administrators, jointly and severally firmly by these presents.

The condition of this obligation is such that if the bid or proposal attached hereto and made a part hereof and submitted to the within named division of the City of Fort Wayne or its duly constituted agent, is accepted and a contract awarded to the undersigned bidder and the said bidder shall within ten (10) days after notice of said award enter into a contract with the said City of Fort Wayne, State of Indiana, and shall secure the performance of the same by bond or otherwise as may be required to the satisfaction of the City of Fort Wayne, Indiana then this obligation shall be null and void; otherwise to be in full force and effect.

If a corporate surety is furnished, it is necessary that a certificate authorizing the "attorney-in-fact" to sign the bond accompanying the same.

BID CHECK (ALTERNATE FORM OF SURETY):

ed ☒ ~~EC~~

rs ☐ Check No. 222 461

in the sum of Five Hundred dollars \$500.00

ATTE

Dollars

Use

Lincoln National Bank

Bank

Some

Fort Wayne, Indiana

Form

with submitted and deposited in lieu of bond under the same terms and conditions as set forth in the above bond.

If Check is used as Bid Surety—Attach here.

SIGNATURES (BID SURETY AND PROPOSAL):

Witnessed by:

OTHER PARTIES INTERESTED IN THIS PROPOSAL

(See 14—Signatures under General Conditions, etc.)

List all Parties if Partnership

BIDDER  
AND  
PRINCIPAL

STOCKBERGER MACHINERY, INC.

Name of Bidder—Print or Type

By

Signature of Person Authorized to Sign

Title

Secretary-Treasurer

2222 Hwy 30 Bypass West

Street Name and Number

Fort Wayne, Indiana

City, State and Zip Code

Date

Feb. 16, 1977

See Cover Letter

Name of Company — Print or Type

Incorporated

In the State of:

Address

By

Sign on this Line

Date

Witnessed by:

SURETY



ADDENDUM NO. 1

Bid Reference No. 762

Refer to Specifications, Item #8 on Page #3 and add:

Compaction force of Roller at 4000 Vibrations per minute to be dynamically equal to 15 Ton Hydro-Static pressure.

# American States Insurance Company

## INDIANAPOLIS, INDIANA

KNOW ALL MEN BY THESE PRESENTS, that American States Insurance Company, a Corporation duly organized and existing under the laws of the State of Indiana, and having its principal office in the City of Indianapolis, Indiana, hath made, constituted

and appointed, and does by these presents make, constitute and appoint \_\_\_\_\_

- - - RONALD A. SMITH, R. WAYNE SMITH, JOHN W. SAWYER, JR., AND BETTY ROBERTSON - -

(Jointly or Severally)

of Rochester and State of Indiana  
its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, contracts of indemnity and other conditional or obligatory undertakings,

provided, however, that the penal sum of any one such instrument executed hereunder

shall not exceed FIVE HUNDRED THOUSAND AND NO/100 (\$500,000.00) DOLLARS - - - - -

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the common seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. This Power of Attorney is executed and may be revoked pursuant to and by authority granted by Section 7.07 of the By-Laws of the American States Insurance Company, which reads as follows:

"The Chairman of the Board, the President or any Vice-President shall have power, by and with the concurrence with the Secretary or any Assistant Secretary of the Corporation, to appoint Resident Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact as the business of the Corporation may require or to authorize any one of such persons to execute, on behalf of the Corporation, any bonds, recognizances, stipulations and undertakings, whether by way of surety or otherwise"

IN WITNESS WHEREOF, American States Insurance Company has caused these presents to be signed by its Vice-President,

attested by its Assistant Secretary and its corporate seal to be hereto affixed this 9th day of January

A. D. 19 74.

AMERICAN STATES INSURANCE COMPANY

(SEAL)

By William M. Evans  
Second Vice-President

ATTEST: W. H. Krasean  
Assistant Secretary

STATE OF INDIANA }  
COUNTY OF MARION } SS:

On this 9th day of January, A. D. 19 74, before me personally came

William M. Evans, to me known, who being by me duly sworn, acknowledged the execution of the above instrument and did depose and say: that he is Vice-President of American States Insurance Company; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation; and that he signed his name

thereto by like order. And said William M. Evans further said that he is acquainted with W. H. Krasean and knows him to be the Assistant Secretary of said Corporation; and that he executed the above instrument.

January 10, 1977  
My Commission Expires

Linda Disney  
Notary Public

STATE OF INDIANA }  
COUNTY OF MARION } SS:

I, Stanley L. Riegel, the Assistant Secretary of AMERICAN STATES INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said AMERICAN STATES INSURANCE COMPANY, which is still in full force and effect.

This Certificate may be signed and sealed by facsimile under and by the authority of the following resolution of the Board of Directors of American States Insurance Company at a meeting duly called and held on the 15th day of December 1972.

"RESOLVED: That the use of a printed facsimile of the corporate seal of the company and of the signature of an Assistant Secretary on any certification of the correctness of a copy of an instrument executed by the President or a Vice-President pursuant to Section 7.07 of the By-Laws appointing and authorizing an Attorney-in-Fact to sign in the name and on behalf of the company surety bonds, underwriting undertakings or other instruments described in said Section 7.07, with like effect as if such seal and such signature had been manually affixed and made, hereby is authorized and approved."

In witness whereof, I have hereunto set my hand and affixed the seal of said Corporation, this 16TH

AMERICAN STATES INSURANCE COMPANY  
INDIANAPOLIS, INDIANA

BID OR PROPOSAL BOND

Know all Men by these Presents,

That we, \_\_\_\_\_  
DEEDS EQUIPMENT COMPANY, INC.  
of \_\_\_\_\_ (hereinafter called the Principal),  
as Principal, and AMERICAN STATES INSURANCE COMPANY (hereinafter called the  
Surety), as Surety, are held and firmly bound unto \_\_\_\_\_  
BOARD OF PUBLIC WORKS AND SAFETY, CITY OF FORT WAYNE, INDIANA  
(hereinafter called the Oblgee) in the penal sum of 5% OF THE BID  
\_\_\_\_\_ Dollars (\$5% OF BID) for the payment of which the Principal  
and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly  
and severally, firmly by these presents.

SIGNED and SEALED this 16TH day of FEBRUARY 1977.

THE CONDITION OF THIS OBLIGATION IS SUCH, That, whereas the Principal  
has submitted or is about to submit a proposal to the Oblgee on a contract for \_\_\_\_\_

ONE (1) NEW MAULDIN 3 TO 5 TON VIBRATORY ROLLER

NOW, THEREFORE, if the said contract be timely awarded to the Principal and the Principal shall, within such time as may be specified, enter into the contract in writing, and give bond, if bond be required, with surety acceptable to the Oblgee for the faithful performance of the said contract, then this obligation shall be void; otherwise to remain in full force and effect.

DEEDS EQUIPMENT COMPANY, INC.

*Robert L. Buchanan, Pres.*  
AMERICAN STATES INSURANCE COMPANY  
By *Charles R. Smith*

Attorney-in-Fact

# BID, OFFER OR PROPOSAL on MATERIAL OR MATERIALS, EQUIPMENT, GOODS OR SUPPLIES

LAWRENCE, Indiana, FEBRUARY 16, 19 77  
 AT 11:00

To BOARD OF PUBLIC WORKS AND SAFETY, CITY OF FORT WAYNE, INDIANA  
State name, official position and municipality

Pursuant to notices given, the undersigned proposes to furnish the material or materials, equipment, goods or supplies as per said notices and specifications now on file in the office of.....

A. C. LORD, PURCHASING DIRECTOR, CITY OF FORT WAYNE, INDIANA  
State name official position and municipality

and as per copy thereof, hereto attached, or as described herein for the following amounts:

(State the class or item number or an exact description of the material or materials, equipment, goods or supplies to be furnished and amount of bid on each article.)

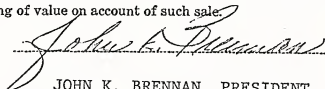
Class or Item	Quantity	Unit	Quality--Description	Unit Price	Amount
	One (1)		New Mauldin 3 to 5 ton vibratory roller complete according to enclosed specifications.  Standard model price F.O.B. Lawrence, Ind.  Optional:  With all towing attachments per enclosed specifications - add -		\$6,950.00       \$1,200.00

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA,  
MARION COUNTY } SS:

The undersigned bidder or agent, being duly sworn, on oath says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.


  
JOHN K. BRENNAN, PRESIDENT  
Bidder or Agent

For DEEDS EQUIPMENT COMPANY, INC.  
Firm or Corporation

Subscribed and sworn to before me this 16TH day of FEBRUARY, 19 77

My Commission Expires

12 Sept 1980



ACCEPTANCE OF PROPOSAL  
AS  
CONTRACT

It appearing from the records that there is now a sufficient unobligated appropriation of funds available, the foregoing agreement is accepted by the \_\_\_\_\_ of

Board or Trustees

\_\_\_\_\_, Indiana, as to classes or items \_\_\_\_\_  
Gov't Unit

Such acceptance to operate as a contract binding such \_\_\_\_\_  
Gov't Unit

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

## PROPOSAL

BOARD OF PUBLIC WORKS & SAFETY,

The undersigned bidder agrees to furnish to CITY OF FORT WAYNE,  
Indiana, all articles and things enumerated on the foregoing pages in accordance with the specifications  
and in compliance with all stipulations therein, at and for the prices set opposite each item, and declares  
and represents that the price herein charged for each and every article and thing named in this offer or  
bid is net, and that it is fair, just and usual; that he has not offered nor received a less price for the  
articles embraced in this bid than that stated herein, except NO EXCEPTIONS.

Here state specifically to whom, when, why, price

that if this bidder shall offer to or receive from any person, firm, board, commission, trustee or corporation, during the continuance of the contract sought hereunder, a less price than that stated herein, excepting market changes, he consents that the difference shall be deducted from any sum due under said contract, or, if there be none, that said difference may be recovered from him by appropriate action; and it is hereby agreed by this bidder that this stipulation shall be a part of any contract that may be entered into upon this bid; and this bidder further agrees that he will not, directly or indirectly, withdraw this bid from the office in which it is filed and that the same shall in the manner and form in which it is made, become and remain a part of the public documents in said office.

The undersigned bidder further agrees that on acceptance of this proposal by the

BOARD OF PUBLIC WORKS & SAFETY of said CITY OF FORT WAYNE, Indiana,  
Board or Trustees Gov't Unit

as to either or all the classes or items, this bid and agreement is to become and be a contract to such effect, as to each class or item so accepted upon the filing herewith of a bond or certified check in the amount as required by the purchaser in notice to bidders. Any liability for breach of said contract shall be enforceable by an appropriate action upon said contract or bond or certified check, as the case may be, or either or both of them as provided by law in similar cases.

In testimony whereof the bidder has hereunto set <sup>(his)</sup> ~~their~~ hands this 16TH day of

FEBRUARY, 1977.

DEEDS EQUIPMENT COMPANY, INC.

Bidder

By

JOHN K. BRENNAN, PRESIDENT

Agent or Individual Members of Firm or

Officers of Corporation

TITLE OF ORDINANCE SPECIAL ORDINANCE - CIVIL CITY PURCHASE ORDER 00362

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE CIVIL CITY PURCHASE ORDER 00362, PER BID REFERENCE #762 FOR  
ONE 1977 VIBRATORY ROLLER, SELF-PROPELLED RAY GO, 2-36 ROMPER TANDEM IN THE AMOUNT  
OF \$9,580.00 FOR THE FORT WAYNE STREET DEPARTMENT TO BE PURCHASED FROM STOCKBERGER  
MACHINERY, INC.

(SEE ATTACHED EXPLANATION)

EFFECT OF PASSAGE ACQUISITION OF A SELF-PROPELLED VIBRATORY ROLLER WHICH BEST  
MEETS THE REQUIRED SPECIFICATIONS.

EFFECT OF NON-PASSAGE NEED TO PURCHASE LESS EFFECTIVE ROLLER WITH UNSATISFACTORY  
PERFORMANCE. INABILITY TO COMPLETE CHIP & SEAL PROGRAM & MAKE STREET REPAIRS.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$9580.00 FROM MVH FUNDS.

ASSIGNED TO COMMITTEE \_\_\_\_\_

EP  
*Public Works*